

REMARKS

INTRODUCTION:

In accordance with the foregoing, claim 9 has been canceled without prejudice or disclaimer, claims 4 and 13 have been amended, and new claim 15 has been added. No new matter is being presented, and approval and entry are respectfully requested.

Claims 4-8 and 10-15 are pending and under consideration. Claim 14 has been allowed. Reconsideration is respectfully requested.

DOUBLE PATENTING REJECTION:

In the Office Action, at page 2, numbered paragraphs 1-2, claims 4-14 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-13 of copending Application No. 09/778919 (Pat-919). It should be noted that because claim 14 has been allowed, the inclusion with the double patenting rejection appears to be in error.

In general, in a double patenting instance, it is respectfully submitted that the respective claims of a first considered patent application are generally granted, and an obviousness-type double patenting rejection is then issued, if necessary, for the respective claims of the second patent application being considered with respect to the obviousness-type double patenting issue.

Thus, since claims 4-14 of the present invention are not yet in final form and since the copending Application has not yet issued as a patent, it is respectfully submitted that it is premature to compare the claims of the present invention with the claims of copending Application No. 09/778919 with respect to double-patenting.

REJECTION UNDER 35 U.S.C. §102:

In the Office Action, at page 3, numbered paragraphs 3-4, claims 4-7 and 9 were rejected under 35 U.S.C. §102(b) as being anticipated by Okumura (USPN 5,107,353). This rejection is traversed and reconsideration is requested.

Independent claim 4 has been amended in correspondence with allowed claim 14. Thus, amended claim 4 is submitted to be allowable under 35 U.S.C. §102(b) and not anticipated by Okumura (USPN 5,107,353) for at least the reasons that claim 14 is deemed to be allowable under 35 U.S.C. §102(b) and not anticipated by Okumura (USPN 5,107,353).

Since claims 5-7 depend from amended independent claim 4, claims 5-7 are submitted to be allowable under 35 U.S.C. §102(b) and not anticipated by Okumura (USPN 5,107,353) for at least the reasons that amended independent claim 4 is submitted to be allowable under 35 U.S.C. §102(b) and not anticipated by Okumura (USPN 5,107,353).

Claim 9 has been cancelled without prejudice or disclaimer. Thus, the rejection of claim 9 under 35 U.S.C. §102(b) as being anticipated by Okumura (USPN 5,107,353) is now deemed to be moot.

REJECTION UNDER 35 U.S.C. §103:

A. In the Office Action, at page 4, numbered paragraphs 5-6, claim 8 was rejected under 35 U.S.C. §103(a) as being unpatentable over Okumura in view of Shigeta (USPN 5,659,226). The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

It is respectfully submitted that claim 8 is a dependent claim which depends from the above-discussed amended independent claim 4, thus incorporating the limitations of amended independent claim 4, and is patentable over the prior art for at least the reasons discussed above that amended independent claim 4 is submitted to be patentable over the prior art.

B. In the Office Action, at pages 4-5, numbered paragraph 57, claims 10-12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Okumura in view of Betsui et al. (USPN 5,825,128). The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

It is respectfully submitted that claims 10-12 are dependent claims which depend from the above-discussed amended independent claim 4, thus incorporating the limitations of amended independent claim 4, and are patentable over the prior art for at least the reasons discussed above that amended independent claim 4 is submitted to be patentable over the prior art.

C. In the Office Action, at pages 5-6, numbered paragraph 8, claim 13 was rejected under 35 U.S.C. §103(a) as being unpatentable over Okumura in view of Shigeta (USPN 5,659,226). The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

Claim 13 has been amended, in correspondence with allowed independent claim 14, to include:

“wherein, in a display line, one of:

a cell neighboring an original cell in a vertical direction is lighted for compensation in an upward adjacent or subjacent cell according to a predetermined scheme;

when the original cell is an upper shift cell, neighboring lower shift cells are lighted for compensation and when the original cell is a lower shift cell, neighboring upper shift cells are lighted for compensation; and

when the original cell is an upper shift cell, a neighboring lower shift cell is lighted for compensation and when the original cell is a lower shift cell, a neighboring upper shift cell is lighted for compensation.”

Thus, amended claim 13 is submitted to be allowable under 35 U.S.C. §103(a) and patentable over Okumura in view of Shigeta (USPN 5,659,226) for at least the reasons that claim 14 is deemed to be allowable under 35 U.S.C. §103(a) over Okumura in view of Shigeta (USPN 5,659,226).

ALLOWABLE SUBJECT MATTER:

Claim 14 was allowed.

NEW CLAIM:

New claim 15 recites that the features of the present invention include a method for displaying a color image by reproducing a pixel color of an input image using three types of cells having different light colors, the method comprising: using a display device including a display screen having parallel cell columns, cells of each cell column having the same light color, a light color of a cell column being different from that of the neighboring cell column, a cell position in the column direction of a cell column being shifted from that of the neighboring cell column among a set of cell columns each having the same light color; and switching a combination of

cells having the same light color constituting a display line perpendicular to the column direction for each of first field and second field when the input image is displayed in an interlace format, wherein in the first field, lighting two neighboring cells in at least one cell column out of a set of cell columns each having the same light color when displaying a display line perpendicular to the column direction, and when the original cell is an upper shift cell, a neighboring lower shift cell is lighted for compensation and when the original cell is a lower shift cell, a neighboring upper shift cell is lighted for compensation, and in the second field, lighting the original cell when displaying a display line perpendicular to the column direction.

New claim 15 is supported by description at page 14, line 21 through page 15, line 2, of the specification, wherein a display method combining the Type C and Type D may be applied when the input image is an interlace display signal.

Nothing in the prior art teaches or suggests such. It is submitted that this new claim distinguishes over the prior art.

CONCLUSION:

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited. At a minimum, this Amendment should be entered at least for purposes of Appeal as it either clarifies and/or narrows the issues for consideration by the Board.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited and possibly concluded by the Examiner contacting the undersigned attorney for a telephone interview to discuss any such remaining issues.

Serial No. 09/988,207

Docket No. 1466.1048

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,
STAAS & HALSEY LLP

Date: October 14, 2004 By: Darleen J. Stockley
Darleen J. Stockley
Registration No. 34,257

1201 New York Avenue, N.W.
Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501